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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 \*\*\*

10 MICHAEL ERWINE,

11 Plaintiff,

3:24-cv-00045-MMD-CSD

12 v.

**STIPULATION AND ORDER FOR**

13 UNITED STATES OF AMERICA, et al.,

**EXTENSION OF DISCOVERY**

14 Defendants.

**DEADLINES (SECOND REQUEST)**

15 \_\_\_\_\_/  
16  
17 COMES NOW, Plaintiff MICHAEL ERWINE and Defendants BENJAMIN  
18 TROTTER and CHURCHILL COUNTY, by and through their undersigned counsel,  
19 hereby stipulate and respectfully request that the Court extend the discovery deadlines  
20 in this matter by sixty (60) days.

21 This request is necessitated by significant changes in the procedural posture of  
22 the case and ongoing delays in discovery responses. Specifically, the Court's dismissal  
23 of the United States, Defendants Zachary Westbrook, John Leonard, Michel Hall  
24 (collectively, the "Tribal Defendants"), and Gene M. Burke (ECF Nos. 91, 107, 123,  
25 125, 126, 127, entered April 23, 2025) has altered the nature and scope of the claims  
26 at issue, requiring the Parties to reassess the focus and strategy of discovery.  
27  
28

1 This is the second request for an extension of these deadlines in this matter.  
2 The request is made in good faith and not for the purpose of delay. Pursuant to Local  
3 Rule 26-4, the Parties provide the following information to the Court in connection with  
4 their request for an extension of discovery deadlines:

5 **A. Statement of Discovery that has been Completed:**

6 The Parties have conducted an early case conference pursuant to Fed. R. Civ.  
7 P. 26(f) on August 6, 2024, and served initial disclosures in accordance with Fed. R.  
8 Civ. P. 26(a) on or before August 20, 2024, as stipulated (ECF No. 92). The Parties  
9 have entered into a Stipulated Protective Order to facilitate the exchange of  
10 confidential materials (ECF No. 101, approved by ECF No. 102 on 9/16/2024). Plaintiff  
11 has served requests for production and interrogatories on Defendants Churchill County  
12 and Benjamin Trotter. Responses are pending.  
13

14 **B. Description of the Discovery that Remains to be Completed and the**  
15 **Reasons**

16 The Parties need to complete responses to pending requests for production,  
17 interrogatories, and requests for admission. Depositions of key witnesses, including  
18 representatives of out-of-state law enforcement agencies identified in Plaintiff's First  
19 Amended Complaint (ECF No. 59), remain outstanding. The dismissal of the United  
20 States, Tribal Defendants, and Gene M. Burke has shifted the focus of the case to the  
21 remaining claims against Churchill County and Benjamin Trotter.  
22

23 **C. Proposed Schedule for Completing all Remaining Discovery**

24 Discovery Cut-Off Date: Existing Deadline: Monday, September 1, 2025 New  
25 Deadline: Friday, October 31, 2025  
26  
27  
28

1 Disclosures (Experts): Existing Deadline: Wednesday, July 2, 2025 New  
2 Deadline: Tuesday, September 2, 2025

3 Disclosures regarding rebuttal experts: Existing Deadline: Monday, August 4,  
4 2025 New Deadline: Friday, October 3, 2025

5 Dispositive Motions: Existing Deadline: Tuesday, September 30, 2025 New  
6 Deadline: Monday, December 1, 2025

7 Joint Pretrial Order: Existing Deadline: Friday, October 31, 2025 New Deadline:  
8 Friday, January 30, 2026  
9

10 **IT IS SO STIPULATED.**


11 Dated: Jun 6, 2025

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19 By: /s/ Katherine F. Parks  
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24 **IT IS SO ORDERED**

25 DATED: June 18, 2025

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27 \_\_\_\_\_  
28 UNITED STATES MAGISTRATE JUDGE